

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TALECRIS BIOTHERAPEUTICS, INC., and)
BAYER HEALTHCARE LLC,)

Plaintiffs,)

v.)

BAXTER INTERNATIONAL INC., and)
BAXTER HEALTHCARE CORPORATION,)

Defendants.)

C.A. No. 05-349-GMS

Jury Trial Demanded

BAXTER HEALTHCARE CORPORATION,)
Counterclaimant,)

v.)

TALECRIS BIOTHERAPEUTICS, INC., and)
BAYER HEALTHCARE LLC,)

Counterdefendants.)

PLAINTIFFS' NOTICE OF DEPOSITION OF THOMAS J. KINDT, Ph.D.

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that beginning on February 28, 2007 and March 1, 2007 at 9:30 a.m., at the law firm of Townsend and Townsend and Crew, 379 Lytton Ave. Palo Alto, CA 94301-1431, counsel for Plaintiffs Talecris Biotherapeutics, Inc. and Bayer Healthcare LLC will take, pursuant to Federal Rules of Civil Procedure 26(b)(4)(A) and 30, the deposition upon oral examination of Thomas J. Kindt, Ph.D.

The deposition will be taken before an officer authorized to administer oaths and will continue from hour to hour and day to day until completed. You are invited to attend and cross-examine.

Please be advised that this deposition may be recorded by videotape in addition to stenographic recording, which will include the use of LiveNote real time transcription.

Seven days prior to the deposition date noticed herein, Defendants will provide to Plaintiffs a letter and/or produce documents as agreed by the parties in Section 3.F of the February 2, 2007 letter from Jeffrey B. Bove to Megan Chung.

Date: February 2, 2007

CONNOLLY BOVE LODGE & HUTZ LLP

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CERTIFICATE OF SERVICE

I, Jeffrey B. Bove, hereby certify on this 2nd day of February, 2007 I electronically filed the foregoing **PLAINTIFFS' NOTICE OF DEPOSITION OF THOMAS J. KINDT, Ph.D.** with the Clerk of Court using CM/ECF which will send notification of such filing to the following:

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|--|---|
| <u>VIA EMAIL</u> Philip A. Rovner, Esquire Potter Anderson & Corroon LLP Hercules Plaza P. O. Box 951 Wilmington, DE 19899 (302) 984-6140 provner@potteranderson.com | <u>VIA EMAIL</u> Susan Spaeth, Esquire Townsend and Townsend and Crew LLP 379 Lytton Avenue Palo Alto, CA 94301-1431 (415) 576-0200 smspaeth@townsend.com |
|--|---|

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